

RE: USTR TPP Letter

From: "Griffin, Garrison P. EOP/USTR" (b) (6)
:
"Bremberg, Andrew P. EOP/WHO" (b) (6) who.eop.gov>, "Rateike, Bradley A. EOP/WHO" (b) (6) who.eop.gov>, "Miller, Stephen EOP/WHO" (b) (6) who.eop.gov>, "Dearborn, Rick A. EOP/WHO" (b) (6) who.eop.gov>, "Short, Marc T. EOP/WHO" (b) (6) who.eop.gov>, "Sanders, Sarah H. EOP/WHO" (b) (6) who.eop.gov>, "Ditto, Jessica E. EOP/WHO" (b) (6) who.eop.gov>
To:
Cc: "Winfrey, Paul L. EOP/WHO" (b) (6) who.eop.gov>, "Dorr, Kaelan K. EOP/WHO" (b) (6) who.eop.gov>, "Navarro, Peter K. EOP/WHO" (b) (6) who.eop.gov>
Date: Mon, 30 Jan 2017 08:29:27 -0500

Expecting this to go out at 10:15am.



FOR IMMEDIATE RELEASE
January 30, 2017

The United States Officially Withdraws From the Trans-Pacific Partnership

WASHINGTON, DC – The Office of the U.S. Trade Representative (USTR) today, issued a letter to signatories of the Trans-Pacific Partnership agreement ("TPP") that the United States has formally withdrawn from the agreement per guidance from the President of the United States. The letter emphasizes the commitment of the United States to truly free and fair trade, and encourages future discussions on measures "designed to lead to more efficient markets and higher levels of economic growth."

The letter was sent to each TPP signatory as well as the TPP depository. The letter to the TPP depository can be found here. <<<<HYPERLINK TO DEPOSITORY LETTER

#

From: Bremberg, Andrew P. EOP/WHO [mailto:(b) (6) who.eop.gov]
Sent: Sunday, January 29, 2017 6:08 PM
To: Rateike, Bradley A. EOP/WHO (b) (6) who.eop.gov; Miller, Stephen EOP/WHO (b) (6) who.eop.gov; Dearborn, Rick A. EOP/WHO (b) (6) who.eop.gov; Short, Marc T. EOP/WHO (b) (6) who.eop.gov; Sanders, Sarah H. EOP/WHO (b) (6) who.eop.gov; Ditto, Jessica E. EOP/WHO (b) (6) who.eop.gov
Cc: Winfree, Paul L. EOP/WHO (b) (6) who.eop.gov; Dorr, Kaelan K. EOP/WHO (b) (6) who.eop.gov; Navarro, Peter K. EOP/WHO (b) (6) who.eop.gov; Griffin, Garrison P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Subject: RE: USTR TPP Letter

Reminder that USTR will be sending out its notifications of US withdrawal from TPP tomorrow.

From: Griffin, Garrison P. EOP/USTR [mailto:Garrison.P.Griffin@ustr.eop.gov]
Sent: Friday, January 27, 2017 8:44 PM
To: Rateike, Bradley A. EOP/WHO (b) (6) who.eop.gov
Cc: Bremberg, Andrew P. EOP/WHO (b) (6) who.eop.gov; Winfree, Paul L. EOP/WHO (b) (6) who.eop.gov; Dorr, Kaelan K. EOP/WHO (b) (6) who.eop.gov; Navarro, Peter K. EOP/WHO (b) (6) who.eop.gov
Subject: USTR TPP Letter

Brad,

On Monday morning, 12 letters will be sent from USTR notifying TPP nations that the US has withdrawn. I have attached PDF's of the letters and our draft press release. Ill remind you on Sunday night.

PG

Payne Griffin
The Office of the United States Trade Representative
Executive Office of the President

RE: President's Trade Agenda Report

From: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>
To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>
Date: Thu, 23 Feb 2017 20:36:21 -0500

thanks

From: Griffin, Payne P. EOP/USTR [mailto:Garrison.P.Griffin@ustr.eop.gov]
Sent: Thursday, February 23, 2017 8:36 PM
To: Miller, Stephen EOP/WHO <(b) (6) who.eop.gov>
Subject: President's Trade Agenda Report

Stephen,

On Wednesday, March 1, USTR will be releasing a 200 page document called "The President's Trade Agenda." This is required by Congress. There are 2 parts of this report. The first 13 pages is "political" (b) (5). The second is a running history of current trade policy. (b) (5). This is going through the normal review channels now, I just wanted to make sure you got a chance to see it.

(b) (5) We will be sending it to the printers on Monday.

Thank you. Let me know if you have any questions.

G. Payne Griffin
Deputy Chief of Staff
The Office of the United States Trade Representative
Executive Office of the President
Garrison.P.Griffin@USTR.eop.gov
(O) 202-395-5869
(C) (b) (6)

Re:

From: "Griffin, Payne P. EOP/USTR" (b) (6)
:
To: "Jackson, Christopher (Sessions)" (b) (6) <@sessions.senate.gov>
Date: Fri, 24 Feb 2017 08:46:43 -0500

(b) (6) <who.eop.gov>

Sent from my iPhone

On Feb 24, 2017, at 8:46 AM, Jackson, Christopher (Sessions) (b) (6) <sessions.senate.gov> wrote:

What is miller's white house email? Sandy wants it.

Sent from my BlackBerry 10 smartphone.

RE: Trade Agenda Report

From: "Griffin, Payne P. EOP/USTR" (b) (6)
:
To: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>
Date: Mon, 27 Feb 2017 19:42:56 -0500

Thank you. We are planning to go ahead with Wed. issuance. (b) (5)

From: Miller, Stephen EOP/WHO [mailto:(b) (6) who.eop.gov]
Sent: Monday, February 27, 2017 7:39 PM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Subject: Re: Trade Agenda Report

Don't worry

Sent from my iPhone

On Feb 27, 2017, at 5:14 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

(b) (5)

Pg

Sent from my iPhone

On Feb 27, 2017, at 5:08 PM, Miller, Stephen EOP/WHO <(b) (6) who.eop.gov> wrote:

Thanks

Sent from my iPhone

On Feb 27, 2017, at 4:31 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

Stephen,

Given the fact the President is likely to address trade in his Joint Congressional speech, I wanted to make sure that you had seen our report due the following day called the "President's Trade Agenda."

This report is due to Congress on Wednesday. (b) (5)

Thank you.

Payne

G. Payne Griffin

Deputy Chief of Staff

The Office of the United States Trade Representative

Executive Office of the President

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(O) 202-395-5869

(C) (b) (6)

<Political Section.docx>

Call

From "Griffin, Payne P. EOP/USTR" (b) (6)
:
To: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>
Date: Wed, 15 Mar 2017 19:23:16 -0400

Please give me a call when you get a moment. I've got an answer to your question from the other day.

G. Payne Griffin
Deputy Chief of Staff
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Executive Office of the President
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(O) 202-395-5869
(C) (b) (6)

Cc Stephen miller on waiver issue to opm

From: garrison.p.griffin@ustr.eop.gov
To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>
Date: Thu, 09 Mar 2017 08:32:08 -0500

Sent from my iPhone

RE: USTR Hiring Freeze Waiver Request

From: "Griffin, Payne P. EOP/USTR" (b) (6)
:
To: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>
Date: Fri, 17 Mar 2017 16:17:24 -0400

(b) (5) is the one who will have to approve the waiver for USTR.

From: Miller, Stephen EOP/WHO [mailto:(b) (6) who.eop.gov]
Sent: Friday, March 17, 2017 4:17 PM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Subject: RE: USTR Hiring Freeze Waiver Request

(b) (5)

From: Griffin, Payne P. EOP/USTR [mailto:Garrison.P.Griffin@ustr.eop.gov]
Sent: Friday, March 17, 2017 4:15 PM
To: Miller, Stephen EOP/WHO <(b) (6) who.eop.gov>
Subject: RE: USTR Hiring Freeze Waiver Request

Thanks Stephen. I just had a call with (b) (5) is the one holding this up. Im going to send him the same email I sent to OPM.

From: Miller, Stephen EOP/WHO [mailto:(b) (6) who.eop.gov]
Sent: Friday, March 17, 2017 2:49 PM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Cc: Kathleen.Mcgettigan@opm.gov; Jason.simmons@opm.gov
Subject: Re: USTR Hiring Freeze Waiver Request

Kathy -- let's talk.

Sent from my iPhone

On Mar 17, 2017, at 2:40 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

Hello Kathy,

I wanted to follow up on this note. Please let me know if USTR can provide more information.

Thank you
Payne

Re: USTR Hiring Freeze Waiver Request

From: "Simmons, Jason D." <jason.simmons@opm.gov>
:
To: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>
Cc: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>, "McGettigan, Kathleen M" <kathleen.mcgettigan@opm.gov>
Date: Fri, 17 Mar 2017 16:20:46 -0400

I just had a conversation with Payne. Stephen if you want to give me a call I can share our conversation.

Jason Simmons

C: (b) (6)

Sent from my iPhone

On Mar 17, 2017, at 2:51 PM, Miller, Stephen EOP/WHO <(b) (6) eop.gov> wrote:

Kathy -- let's talk.

Sent from my iPhone

On Mar 17, 2017, at 2:40 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

Hello Kathy,

I wanted to follow up on this note. Please let me know if USTR can provide more information.

Thank you
Payne

G. Payne Griffin

Deputy Chief of Staff

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(O) 202-395-5869

(C) (b) (6)

From: Griffin, Payne P. EOP/USTR
Sent: Friday, March 10, 2017 12:46 PM

To: 'Kathleen.Mcgettigan@opm.gov' <Kathleen.Mcgettigan@opm.gov>
Cc: 'Jason.simmons@opm.gov' <Jason.simmons@opm.gov>; Miller, Stephen EOP/WHO
<(b) (6) who.eop.gov>
Subject: USTR Hiring Freeze Waiver Request

Kathy,

Attached please find a waiver request related to the Presidential Memorandum entitled "Hiring Freeze." Granting this waiver will enable USTR to meet critical policy objectives outlined by the President related to trade enforcement and new international negotiations.

At present, USTR has several critical vacancies, the fulfillment of which remains crucial to our ability to enforce current trade law and pursue our offensive trade interests across the globe. I would request a decision on this waiver within a reasonable amount of time.

Thank you. Please let me know if you have any questions.

Payne

G. Payne Griffin

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(O) 202-395-5869

(C) (b) (6)

USTR Hiring Freeze Waiver Request

From: "Griffin, Payne P. EOP/USTR" (b) (6)
To: "Hagin, Joseph W. EOP/WHO" (b) (6) who.eop.gov>
Cc: "Stephen EOP/WHO Miller (b) (6) who.eop.gov)"
<(b) (6) who.eop.gov>
Bcc: "Ames, Fred L. EOP/USTR" <fred_ames@ustr.eop.gov>
Date: Fri, 17 Mar 2017 16:16:42 -0400
Attachments
: USTR Hiring Freeze Waiver Request.pdf (825.64 kB)

Joe,

Attached please find a waiver request related to the Presidential Memorandum entitled "Hiring Freeze." Granting this waiver will enable USTR to meet critical policy objectives outlined by the President related to trade enforcement and new international negotiations.

At present, USTR has several critical vacancies, the fulfillment of which remains crucial to our ability to enforce current trade law and pursue our offensive trade interests across the globe.

Thank you. Please let me know if you have any questions.

Payne

G. Payne Griffin

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(O) 202-395-5869

(C) (b) (6)

Priebus & Lighthizer

From: "Griffin, Payne P. EOP/USTR" (b) (6)
:
To: "Dearborn, Rick A. EOP/WHO" <(b) (6) who.eop.gov>
Date: Fri, 17 Mar 2017 11:42:40 -0400

RAD,

FYI, Stephen Miller suggested that Reince Priebus and Lighthizer have a call to discuss moving his nomination through the Senate after he is reported out of Committee on Wednesday.

I will shortly work with Mallory to set something up for next week.

Payne

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(C) (b) (6)

TPA

From: garrison.p.griffin@ustr.eop.gov
To: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>
Date: Mon, 03 Apr 2017 12:29:25 -0400

Stephen. I'm available to give you the state of play on naFta fast track if you need it.

Thanks

Sent from my iPhone
(b) (6)

Dinner with Stephen Miller

From "Griffin, Payne P. EOP/USTR" (b) (6)

:

To: robert.lighthizer (b) (6)

Date: Wed, 03 May 2017 09:51:38 -0400

Stephen will not be able to do Saturday night as he will be traveling. Sunday is still a possibility.

Payne

G. Payne Griffin

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RE: GDP Messaging

From: "Dearborn, Rick A. EOP/WHO" <(b) (6) who.eop.gov>
To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>, "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>
Date: Fri, 26 May 2017 13:34:13 -0400

Love it, thanks Payne!

From: Griffin, Payne P. EOP/USTR [mailto:Garrison.P.Griffin@ustr.eop.gov]
Sent: Friday, May 26, 2017 11:04 AM
To: Miller, Stephen EOP/WHO <(b) (6) who.eop.gov>
Cc: Dearborn, Rick A. EOP/WHO <(b) (6) who.eop.gov>
Subject: GDP Messaging

Hey guys,

Wanted to flag a potential messaging point for you. (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

Thx

PG

RE: Dinner with Stephen Miller

From: "Griffin, Payne P. EOP/USTR" (b) (6)
:
To: "Cobaugh, CC M. EOP/USTR" <christina.m.cobaugh@ustr.eop.gov>
Cc: "Bacak, Abigail R. EOP/USTR" <abigail.r.bacak@ustr.eop.gov>
Date: Wed, 31 May 2017 10:30:13 -0400

It was over the phone. Ill email and cc everyone.

-----Original Message-----

From: Cobaugh, CC M. EOP/USTR
Sent: Wednesday, May 31, 2017 10:29 AM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Cc: Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov>
Subject: RE: Dinner with Stephen Miller

Can you please send the confirmation? Abby - Reservation has been made under Lighthizer for 2 @ 7 PM in the dining room. We should check to see if he has any preferences when he eats there - they said he was all taken care of, but for future reference - he eats there a lot.

-----Original Message-----

From: Griffin, Payne P. EOP/USTR
Sent: Tuesday, May 30, 2017 4:29 PM
To: Cobaugh, CC M. EOP/USTR <Christina.M.Cobaugh@ustr.eop.gov>
Subject: RE: Dinner with Stephen Miller

Confirmed for 7pm on Thursday at the (b) (6). Bob will need to make a reservation for 2.

Thanks

-----Original Message-----

From: Cobaugh, CC M. EOP/USTR
Sent: Tuesday, May 30, 2017 4:24 PM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Subject: RE: Dinner with Stephen Miller

Thursday at (b) (6), Saturday at (b) (6) - whatever works best for SM.

-----Original Message-----

From: Griffin, Payne P. EOP/USTR
Sent: Tuesday, May 30, 2017 3:40 PM
To: Cobaugh, CC M. EOP/USTR <Christina.M.Cobaugh@ustr.eop.gov>
Subject: RE: Dinner with Stephen Miller

What was the takeaway from this? Thursday or Saturday? I need to follow up with him

-----Original Message-----

From: Cobaugh, CC M. EOP/USTR

Sent: Tuesday, May 30, 2017 9:58 AM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>; Lighthizer, Robert E. EOP/USTR <(b) (6)@ustr.eop.gov>
Cc: Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>
Subject: RE: Dinner with Stephen Miller

We can discuss at the scheduling meeting, but Friday is the best option for this dinner. You have (b) (6) on Thursday night and Saturday (b) (6) which is still TBD.

-----Original Message-----

From: Griffin, Payne P. EOP/USTR
Sent: Tuesday, May 30, 2017 9:53 AM
To: Lighthizer, Robert E. EOP/USTR <(b) (6)@ustr.eop.gov>
Cc: Cobaugh, CC M. EOP/USTR <Christina.M.Cobaugh@ustr.eop.gov>; Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>
Subject: Dinner with Stephen Miller

Bob,

Stephen Miller has reached out to request a dinner meeting this week. You are booked today and tomorrow. Would you be interested in something Thursday, Friday, or Saturday night?

Thanks

G. Payne Griffin

Deputy Chief of Staff

The Office of the United States Trade Representative

Executive Office of the President

Garrison.P.Griffin@USTR.eop.gov <mailto:Garrison.P.Griffin@USTR.eop.gov>

(O) 202-395-5869 |(C) (b) (6)

FW: Lunch

From: "Griffin, Payne P. EOP/USTR" (b) (6)
:
To: "Bacak, Abigail R. EOP/USTR" <abigail.r.bacak@ustr.eop.gov>
Date: Fri, 23 Jun 2017 08:00:03 -0400

Two things to schedule.

1. Lunch next week with Dennis Shea and CJ Mahoney (both should be in bobs contacts). At (b) (6)
2. Dinner with Stephen Miller. (b) (6) -- this can be more flexible as well.

Thanks

-----Original Message-----

From: Robert Lighthizer [mailto:robert.lighthizer@ustr.eop.gov] (b) (6)
Sent: Friday, June 23, 2017 7:57 AM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Subject: Re: Lunch

I guess (b) (6). Thanks. I should also get a dinner on the schedule with Steven Miller if he is amenable.

> On Jun 23, 2017, at 7:44 AM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:
>
> Yes. Location preference? (b) (6) or (b) (6)?
>
> Sent from my iPhone
> (b) (6)
>
>> On Jun 23, 2017, at 7:43 AM, Robert Lighthizer <robert.lighthizer@ustr.eop.gov> wrote:
>>
>> Can you have someone set up a lunch next week for Dennis Shea and CJ Mahoney with Stephen and me?
Nothing urgent it has just been a while since we have spoken.
>>
>> Bob

RE: Dems Trade Agenda

From: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>

To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>

Date: Wed, 02 Aug 2017 18:05:39 -0400

Thank you

From: Griffin, Payne P. EOP/USTR [mailto:Garrison.P.Griffin@ustr.eop.gov]

Sent: Wednesday, August 2, 2017 6:00 PM

To: Miller, Stephen EOP/WHO <(b) (6) who.eop.gov>

Subject: Dems Trade Agenda

Pre-decisional/deliberative

Stephen,

Nice job out there today...they will be talking about that for a while.

The Ambassador asked me to send you a copy of the Dems new trade agenda. (b) (5)

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

G. Payne Griffin

Deputy Chief of Staff

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BETTER JOBS, BETTER WAGES, BETTER FUTURE
A BETTER DEAL
#A BETTER DEAL

A Better Deal on Trade and Jobs:

Fighting Back Against Corporations that Outsource American Jobs and Countries that Manipulate Trade Laws

When put on a level playing field, American workers are the most competitive in the world. However, America's trade policies are not working for many working families and small businesses. For too long, big corporations have dictated how trade deals and foreign acquisitions are negotiated and the American worker has been left without a seat at the table. As a result, many of these deals have boosted corporate profits, but for many hard-working Americans, these same policies have led to shuttered factories and lower wages.

Democrats are proposing a Better Deal on Trade and Jobs that puts workers and small business first, ahead of corporate special interests. This plan would level the playing field for American workers by ensuring our workers aren't competing in a race to the bottom on wages and labor protections. This plan would crack down on foreign countries that manipulate trade rules and penalize corporations that outsource American jobs.

A Better Deal on Trade and Jobs would fundamentally transform our trade policies by giving American workers and small businesses the tools to combat those countries that try to cheat on trade and a stronger voice in negotiating trade agreements. We stand ready to work in a bipartisan way in Congress and with the administration to act on these common-sense solutions.

Specifically, A Better Deal on Trade would raise incomes and create more good-paying jobs by implementing the following program:

1. **An Independent Trade Prosecutor to Combat Trade Cheating:** a new Independent Trade Prosecutor would begin rapidly challenging unfair trade practices by foreign countries, like China, that have been ignored for far too long, without relying on the years-long World Trade Organization process.
2. **The American Jobs Security Council:** a new council comprised of independent economic experts would review a potential purchase by a foreign company of an American company and have the authority to stop the deal if it could have detrimental economic impacts, like U.S. job losses. The council would operate in public and have a robust input process for working people.
3. **Make NAFTA Work for Working People:** a renegotiated NAFTA must support more American jobs and higher wages. This can be achieved by negotiating the agreement in the open with workers at the table, requiring strong and enforceable labor standards and ensuring greater market access for U.S. exports, especially agricultural exports.
4. **Penalties for Federal Contractors that Outsource Jobs:** new rules to penalize federal contractors that outsource good-paying manufacturing and call center jobs by requiring federal agencies to consider a company's record of outsourcing for three years prior to an application for a federal contract.

5. **Buy America Requirements for All Taxpayer-Funded Projects:** new rules to require that taxpayer dollars be spent on U.S. companies and U.S. jobs for all federal public works and infrastructure projects, and current rules be revised to limit Buy America loopholes.
6. **Crack Down on Countries that Manipulate Their Currency:** currency manipulation law that levels the playing field for U.S. manufacturers by penalizing countries that unfairly manipulate their currency.
7. **An Outsourcing Tax for Companies Leaving the U.S.:** new rules in our tax laws so that companies are punished, and no longer rewarded, for shipping jobs and factories overseas, while creating tax incentives for companies that relocate foreign jobs back to the U.S.

1. Independent Trade Prosecutor to Combat Trade Cheating

Problem:

Previous Administrations have been ineffective or unwilling to deter trade cheats like China from breaking the rules. While multinational corporations have special access to trade enforcers, American workers have largely been ignored.

- The U.S. Trade Representative's General Counsel, under the direct supervision of the President, is responsible for most trade enforcement, but has not done enough to stop trade cheating.
- When the U.S. has acted to address trade cheating only a small number of cases are addressed, which fall under the narrow confines of WTO or Free Trade Agreement protections, and these take many years to resolve after the damage has already been done.^{1,2}
- For countries that are pervasive trade cheats like China, the WTO and other international bodies do not provide an adequate check. WTO decisions have eroded a number of U.S. trade enforcement tools.³
- U.S. companies seeking remedies from foreign competitors for unfair practices that cost American jobs, like fraud, intellectual property theft and violations of labor and environmental standards in trade agreements, deserve a fair shot at justice.
- The U.S. needs a trade enforcement system from the bottom up where workers, small companies and major corporations have equal access to the enforcers of our trade laws. U.S. companies and their workers should not need expensive teams of trade lawyers and lobbyists to have their voices heard.

Solution:

An Independent Trade Prosecutor would begin rapidly challenging unfair trade policies that have been ignored for far too long.

The features of the new Trade Prosecutor are as follows:

- The Trade Prosecutor would revamp our trade enforcement system to address more trade cheating than USTR is currently able to and address this cheating in a timely manner, independent from the administration's foreign policy goals and WTO constraints.
- The Trade Prosecutor would be housed at a new office in the independent, non-partisan, International Trade Commission and would evaluate petitions alleging trade violations from unions, businesses and trade associations, allowing workers and small business the same access to trade relief as large

¹ <http://www.reuters.com/article/us-wto-disputes-idUSKBN18Z2K1>

² <http://www.lexology.com/library/detail.aspx?g=13fe0fa8-2e4c-45ca-b619-c4609ae96797>

³ http://www.americanmanufacturing.org/i/uploads/research-pdf/WTOReport_R3.pdf

corporations. This office would coordinate with the Department of Labor, the Department of Agriculture and the Department of Commerce.

- The Trade Prosecutor could pursue an expansive list of potential trade violations, including: unfair measures to block U.S. agricultural exports; subsidies causing industrial overcapacity forced technology transfers; pervasive violations of labor and environmental commitments; and forms of corporate espionage, including cyber espionage used for stealing intellectual property. The Trade Prosecutor would be responsible for evaluating possible trade violations under strict timelines.
- If foreign countries are found to be in violation and have not agreed to eliminate offending policies, they would face retaliation in the form of restrictions to U.S. market access in proportion with a U.S. company's losses or the foreign company's unfair advantage, without authorization from the WTO.
- The Trade Prosecutor would also be able to review WTO decisions that impact U.S. trade enforcement laws to determine if the WTO decision is consistent with U.S. WTO obligations and to what extent the U.S. should comply with the WTO decision.

2. The American Jobs Security Council

Problem:

Countries like China and Russia are using state-owned enterprises to acquire U.S. companies in an effort to gain an unfair advantage over U.S. industries and workers. In some cases, this has meant the erosion of U.S. competitiveness and jobs lost to foreign producers.

- The number of U.S. companies bought by China's state-directed investors has skyrocketed. From 2009 to 2015, China's foreign direct investment (FDI) in the U.S. increased 800 percent and within two years alone, China's FDI went from \$12.8 billion in 2014 to \$45.6 billion in 2016. Unfortunately, there is no reciprocity for American companies and investors in China, where there are numerous barriers to foreign investment.^{4, 5}
- U.S. companies report that China's companies have been buying U.S. assets in order to directly compete against U.S. rivals using unfair practices. Chinese acquisitions are often aimed at purchasing U.S. assets to siphon trade secrets and technology to directly compete with other U.S. firms, threatening U.S. jobs. U.S. companies have also reported instances where foreign companies have lobbied for weakening Buy America rules and anti-dumping rules that protect U.S. jobs.⁶
- Unfortunately, the U.S. does not have a robust system for vetting potential foreign acquisitions for economic security concerns, like the health of jobs, wages, and impact to regional economies. While the Committee for Foreign Investment in the United States (CFIUS) analyzes potential deals for national security impacts, it does not make evaluations based on the impact to U.S. economic interests.

Solution:

The new American Jobs Security Council would examine foreign companies' proposed acquisitions and have the authority to halt major purchases that would create significant market distortion or have other detrimental economic impacts, including U.S. job losses.

⁴ <http://rhg.com/notes/record-deal-making-in-2016-pushes-cumulative-chinese-fdi-in-the-us-above-100-billion>

⁵ <https://ustr.gov/about-us/policy-offices/press-office/fact-sheets/2017/march/2017-national-trade-estimate-report-%E2%80%93>

⁶ https://www.uscc.gov/Annual_Reports/2016-annual-report-congress

For example, the Council would have the authority to block the pending purchase of the Chicago Stock Exchange and Aleris Aluminum to Chinese firms with ties to the Chinese government.

The features of the new Jobs Security Council are as follows:

- **A New Economic Security Test:** The American Jobs Security Council (the Council) would seek to limit negative economic influence or market distortion caused by foreign acquisitions of U.S. assets by requiring an evaluation of the economic impacts of potential transactions.
- **Consideration of Multiple Economic Factors:** The Council would have the authority to consider major investments, mergers and acquisitions by foreign entities, and specifically be able to evaluate a transaction's potential impact on job losses in economically distressed industries and regions, intellectual property leakage, loss of market share in critical industries, and the foreign investor's home country's domestic policies on foreign investment that may distort U.S. markets, among other factors.
- **Ability to Identify and Scrutinize Deals Backed by Certain Countries:** The Council's consideration of transactions would focus on entities that either have ties to or are directly controlled by certain governments or state actors that do not abide by market principles or have a history of intellectual property theft.
- **A More Open Evaluation with a Focus on Transparency:** This Council's analysis of the foreign investor and the potential negative economic influence or market distortion would be transparent and allow for companies, the public and workers to comment on their concerns.

3. A NAFTA that works for working people

Problem:

Unenforceable labor and environment standards in NAFTA encouraged a race to bottom that led to the offshoring of U.S. jobs and declining U.S. wages. Many NAFTA provisions empower corporations to erode U.S. laws through international tribunals and put profits before people.

- Mexico's labor and environmental laws have gotten weaker since NAFTA was implemented in an attempt to lure corporations. The absence of enforceable labor and environmental standards incentivized American companies to outsource to Mexico, eroding our manufacturing base and lowering wages for workers.⁷ Mexico's minimum wage has lost 78 percent of its value in the last 30 years while real compensation declined 20 percent between 1994 and 2011.⁸ Mexico still lacks true worker unions and remains on U.S. watch lists for human trafficking and large-scale child labor abuses.^{9, 10}
- Designs at NAFTA's tribunals threaten U.S. sovereignty including environmental, health, safety and consumer protection regulations and U.S. trade enforcement laws. These provisions should not provide a back door to undermine U.S. Wall Street reform laws, U.S. welfare programs or efforts to combat climate change.
- NAFTA trade negotiators relied heavily on input from large corporations and their teams of lobbyists. Labor organizations, public interest groups and small businesses were not provided meaningful participation in crafting the agreement, while the public was largely kept in the dark. This allowed corporations to make sweetheart deals that advanced their profit-driven agenda over the interests of workers and consumers.

⁷ http://epi.3cdn.net/fdade52b876e04793b_7fm6ivz2y.pdf

⁸ <http://cam.economia.unam.mx/el-salario-minimo-en-mexico-de-la-pobreza-la-miseria-perdida-del-78-66-del-poder-adquisitivo-del-salario-reporte-de-investigacion-117/>

⁹ <https://www.state.gov/j/tip/rls/tiprpt/countries/2016/258821.htm>

¹⁰ <https://www.dol.gov/ilab/map/countries/mexico.htm>

- Unfair trade practices that distort markets, like currency manipulation and unfair government subsidy programs, were not addressed in the agreement and countries have been cheating without repercussions.

Solution:

A New NAFTA must achieve the following goals:

- Support more American jobs and higher wages. The interests of working families must come before corporate profits.
- Exclude provisions that infringe upon U.S. laws and regulations that protect U.S. workers, consumers and small businesses. This includes laws protecting workers health and safety, Wall Street reform laws protecting U.S. consumers from unfair practices, laws protecting U.S. businesses from unfair trade practices and laws protecting the environment and addressing climate change.
- Not leave workers and the environment behind in a race to the bottom. A new NAFTA must include strong and enforceable rules that raise Mexico's labor standards and protect the environment. These rules must be much stronger than those in any past trade agreement. These rules must combat the worst forms of child labor, human trafficking and forced labor. Additionally, new rules should ensure that Mexico's workers are paid a floor wage, are provided good working conditions and are able to collectively bargain. To increase compliance, a new NAFTA must include provisions aimed at ensuring effective labor inspections in Mexico and require the USTR to pursue meritorious complaints until the violations have been remedied.
- Strengthen Buy America rules by eliminating loopholes.
- Deter unfair, market-distorting behaviors such as state-owned enterprises and include strong and enforceable tools to combat currency manipulation.
- Ensure greater and more secure market access for U.S. exports, especially agricultural exports.
- Secure new economic opportunities in services and digital trade.
- Protect the NAFTA countries from unfairly traded and dumped products from countries outside the region.
- Lead to more balanced trade between the three countries.

New Transparency and Public Input Provisions

- Revamp the Trade Advisory Committees. For too long, USTR trade advisory committees have been captured by large corporations and their teams of lobbyists. U.S. businesses small and large, unions, and public interest groups must all be given meaningful opportunities to provide their views in the negotiating process. To that end, the industry trade advisory committees should be revamped to represent a broad swath of interest and limit the current influence of multinational corporations. USTR should publish all of their NAFTA meetings with stakeholders. Additionally, USTR trade advisory committees should be led by businesses and organizations that support strong labor, environmental, and public health standards in trade agreements, and have not used or sought to use the investor-state dispute settlement mechanisms to undermine U.S. sovereignty or regulatory standards.
- Negotiate in an open, transparent process. The public should regularly be given detailed information about the negotiations so that they know what is at stake at every step of the way. U.S. Trade Representative's staff should hold town hall meetings open to the public in at least 10 different states to discuss specific NAFTA priorities before draft text can be finalized. The American people and Congress must know what the administration seeks to achieve in the agreement before and throughout the negotiations.

4. Penalties for Federal Contractors that Outsource

Problem:

Federal contracts, paid for by taxpayers, are being awarded to companies that are moving U.S. jobs overseas.

- In fiscal year 2016, the Federal Government spent roughly \$1.137 trillion on federal contracts and grants. Unfortunately, some of the companies that received these federal contracts or grants outsource production.¹¹
- Many companies that receive federal grants or loans are outsourcing customer service functions, like call centers that handle sensitive U.S. consumer information, to countries that have poor data security protections, putting American consumers at risk.

Solution:

Account for outsourcing in federal contracting awards, and certain federal grants and loans.

- The proposal would penalize federal contractors who outsource by requiring federal agencies to consider a company's record of outsourcing for three years prior to application for federal contract.
- The proposal would establish a negative preference of up to 10 percent of the cost of a contract for that company for outsourcing activity.
- The proposal would create a public "shame" list managed by the Department of Labor of U.S. companies that regularly relocate U.S. jobs overseas and give companies the ability to get off the list by relocating production to the U.S.
- The proposal would establish a negative preference for issuing certain federal grants and loans for companies on the list.
- The proposal would require companies that handle sensitive U.S. consumer data abroad, like call centers, to disclose to consumers what country they are physically located in and the level of data protection in that country.

5. Buy America for All Taxpayer Funded Projects

Problem:

Existing Buy America programs do not apply to all taxpayer-funded projects. Even when in place, Buy America rules sometimes have loopholes that provide foreign producers access to large sums of American taxpayer dollars.

- A recent Government Accountability Office (GAO) report found a massive discrepancy in levels of U.S. procurement awards open to foreign competition relative to our trading partners.¹²
- The report found that in 2010, \$837 billion of \$1.7 trillion in U.S. government procurement money was eligible for contract with foreign competitors. This dwarfs the amount eligible to U.S. companies by our largest trading partners.
- The next five largest signatories of the WTO's agreement on government procurement are the European Union, Japan, South Korea, Norway, and Canada. The WTO agreement was supposed to open up foreign

¹¹ <https://www.citizen.org/media/press-releases/new-report-reveals-trump-not-punishing-corporations-offshore-american-jobs>

¹² <http://www.gao.gov/assets/690/683273.pdf>

markets to foreign contracts. However, all of these foreign countries combined had \$2.4 trillion in procurement, but only committed to open \$381 billion to be bid on by U.S. companies.¹³

- Clearly, many of our trade partners have much stronger programs and protections favoring their domestic companies.

Solution:

Spend taxpayer dollars on U.S. products and U.S. jobs. To level the playing field, the U.S. needs stronger programs to favor its producers and workers in government procurement.

- The proposal would require that taxpayer dollars be spent on U.S. companies and U.S. jobs for all federal public works and infrastructure projects.
- The proposal would strengthen Buy America requirement in transportation and water infrastructure projects by limiting the amount of manufactured products that can be foreign made.
- The proposal would similarly strengthen Buy American requirements by limiting the amount of foreign production in military contracts.
- This proposal would require up-to-date reporting on the use of Buy America waivers for foreign firms.
- The proposal would maintain the existing melted and poured standard for iron and steel, with no exceptions.
- Finally, it would restrict the use of waivers of Buy America rules for products from non-market economies.

6. Combat Currency Manipulation

Problem:

When a country manipulates its currency, one direct impact is that it makes their exports to the U.S. artificially cheaper, and makes U.S. exports to that country artificially more expensive. This gives foreign companies an advantage that acts just like a subsidy.¹⁴

- Despite repeated requests from a wide range of U.S. industries and workers, successive Presidential Administrations have not recognized currency manipulation for what it is – a subsidy.
- Our competitors continue to threaten U.S. jobs through currency manipulation, and the threat of a currency war remains without any enforceable deterrents.

Solution:

A tough currency manipulation law that punishes countries, like China, that unfairly manipulate their currency.

- The proposal would clarify that countervailing duty law can address currency undervaluation.
- The proposal specifies that if a U.S. industry requests an investigation alleging currency manipulation, the Department of Commerce is required to investigate currency undervaluation as a subsidy.

¹³ <http://www.gao.gov/assets/690/683273.pdf>

¹⁴ <https://www.forbes.com/sites/realspin/2015/02/25/currency-manipulation-why-something-must-be-done/#674f8b757762>

- The proposal would also allow duties to be assessed against countries that manipulate their currencies, equal to the effect of the manipulation by that country.

7. **Outsourcing Tax for Companies Leaving the U.S.**

Problem:

Large corporations are getting federal tax breaks to ship good-paying U.S. jobs to foreign countries that have cheap labor and low standards.

- U.S. companies can deduct expenses for moving production out of the U.S.
- U.S. corporations are using accounting gimmicks and tax loopholes to make a foreign country their new home for tax purposes. These maneuvers can result in job loss and the erosion of the U.S. tax base.¹⁵

Solution:

Changing our tax laws so that companies are punished, and no longer rewarded, for shipping jobs and factories overseas.

- The proposal would deny current tax deductions for the cost of moving U.S. production and jobs outside of the U.S.
- To encourage companies to bring jobs back to the U.S. (insourcing) this proposal would create a tax credit of up to 20% of the cost of relocating production and jobs back to the U.S.
- The proposal would punish outsourcers even further by recapturing certain tax benefits for five years prior for companies that outsource. Companies that outsource jobs would have to forfeit the tax incentives that helped them grow.
- To help rural communities that are most devastated by outsourcing, this proposal would also create tax incentives for companies that relocate foreign jobs to rural and impoverished communities in the U.S.
- Finally, we would require companies that move their headquarters overseas to pay their full U.S. tax bills on all profits they hold overseas before setting up their headquarters in a new country. The profits would be taxed at the current corporate rate of 35 percent.

¹⁵ <https://obamawhitehouse.archives.gov/blog/2016/04/08/corporate-inversions-tax-loop-hole-what-you-need-know>

BACKGROUND: Providing Relief from Trade Cheating -A Rising Challenge:

A number of America's trading partners have manipulated our trade rules, but China has been an outlier in its rapacious tactics to undercut American competitors. In 2001, the U.S. struck a deal with China to join the World Trade Organization (WTO). Since then, American workers have faced growing competition from China's state-run economy and unfair tactics, including the manipulation of its currency and the heavy subsidization of its manufacturers. China's artificially cheap exports were enough to drive some of the most technologically advanced and competitive U.S. companies out of business.¹⁶

The weak U.S. response to China's flouting of our trade rules was a major factor in the loss of roughly 5 million U.S. manufacturing jobs between China's entry into the WTO in 2001 and 2017. Many of those jobs were lost due to unfair competition from China. Especially hard hit were communities in Appalachia and the Rust Belt, where manufacturing plants were often the sole engines of local economies.¹⁷ When these good-paying jobs left, communities were thrown into economic disrepair and wages in once secure industries declined.

China and other countries have only become more aggressive in their pursuit for global market dominance. Intellectual property (IP) theft and extortion from these countries is now one of the biggest threats to U.S. competitiveness and jobs of the future.^{18, 19} The governments of Russia and China have directly engaged or aided in efforts to steal and extort billions in job-producing U.S. IP, including in the automotive, aerospace and renewable energy sectors. A recent report from the IP Commission placed the cost of IP theft to U.S. businesses at \$225 billion to \$600 billion a year.²⁰ Victims of this intellectual property theft, often small companies and their workers, have limited options when attempting to recuperate losses in countries like China with corrupt foreign courts.

Administration after administration has sought to bring countries that violate the rules into compliance through "tough talk" and WTO cases. It is clear that these tactics have not worked. The U.S. needs aggressive trade enforcement to counter countries like China and Russia. U.S. companies need incentives to insource production that has already been lost and be forced to pay an exit tax when outsourcing. Finally, workers and small businesses need access to a trade enforcement system that addresses modern trade concerns in a timely manner, without final approval from the WTO.

¹⁶ <https://www.aeaweb.org/articles?id=10.1257/aer.103.6.2121>

¹⁷ <https://www.ddorn.net/papers/Autor-Dorn-Hanson-ChinaShock.pdf>

¹⁸ <https://www.bloomberg.com/news/articles/2015-11-18/no-sign-china-has-stopped-hacking-u-s-companies-official-says>

¹⁹ <https://www.usitc.gov/publications/332/pub4226.pdf>

²⁰ <http://www.ipcommission.org/>

RE: Maclean's Article on NAFTA

From: "Griffin, Payne P. EOP/USTR" (b) (6)
:
To: "Miller, Stephen EOP/WHO" (b) (6) who.eop.gov
Date: Thu, 17 Aug 2017 19:11:36 -0400

Many thanks.

From: Miller, Stephen EOP/WHO [mailto:(b) (6) who.eop.gov]
Sent: Thursday, August 17, 2017 7:10 PM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Subject: RE: Maclean's Article on NAFTA

Yes

From: Griffin, Payne P. EOP/USTR [mailto:Garrison.P.Griffin@ustr.eop.gov]
Sent: Thursday, August 17, 2017 7:09 PM
To: Miller, Stephen EOP/WHO (b) (6) who.eop.gov
Subject: Maclean's Article on NAFTA

Stephen,

Ambassador Lighthizer requested (b) (5)

Thanks --Payne

MACLEAN'S

A NAFTA 'tweak'? Dream on.

U.S. Trade Representative Robert Lighthizer couldn't find too many redeeming qualities of the trade deal on the books. Watch for tough negotiations to follow.

Kevin Carmichael, August 16, 2017

In case the 17-page, 4,200-word negotiating plan wasn't evidence enough, we now have confirmation from Donald Trump's top trade negotiator that the president misspoke earlier this year when he said the U.S.'s economic relationship with Canada required only a little tweaking.

U.S. Trade Representative Robert Lighthizer is said to be a severe type, and he certainly came off as such at the semi-ceremonial start of the renegotiation of the North American Free Trade Agreement in Washington on August 16. After letting his Canadian and Mexican counterparts speak, Lighthizer delivered brusque remarks that will trouble many Canadian and Mexican special interests, if not the negotiators themselves.

The contrast with Canadian Foreign Affairs Minister Chrystia Freeland couldn't have been greater. Freeland began her presentation by holding up laser-printed photographs of American and Mexican firefighters who were on their way to British Columbia to help that province with the infernos raging in the interior. She said the pictures serve as reminders of the unique bond that North America forged with its free-trade agreement, and will guide her approach to negotiations over the weeks and months ahead.

Lighthizer struggled to find good things to say about NAFTA. He acknowledged that American farmers have done well by the agreement, as Canada and Mexico are now their largest export markets. And he admitted that Americans who live along the northern and southern borders have deep connections with their international neighbours.

"I've always thought that communities along our borders have a particular equity in this agreement," said Lighthizer. "In many cases their lives, businesses, and families are very much on both sides of the dividing line. They too are hardworking men and women trying to raise a families and accumulate wealth. We must keep their interests paramount."

But.

"But for countless Americans, this agreement has failed."

To be sure, negotiating is a game, so we can't be certain whether the Robert Lighthizer who performed for the cameras is the same Robert Lighthizer who will haggle with Freeland and Mexican Economy Secretary Ildefonso Guajardo behind closed doors.

There is also the domestic audience to consider, and therefore pressure to assure the "America First" movement that Trump will give no quarter to those who have been using NAFTA to rob the U.S. of good-paying factory jobs for the past two decades. Third: with the world debating whether the U.S. president is a neo-Nazi sympathizer, there might have been a desire at the White House to turn up the volume in another room to drown out the noise from the Oval Office.

Still, there is no longer any denying that the Trump administration wants a major reworking of NAFTA. While the Canadian and the Mexican sides expressed their excitement for the chance to "update" the 23-year-old agreement for the Amazon age, Lighthizer was talking like a demolition man. His big concession at this stage is agreeing to leave the foundation and the support beams in place.

“The views of the president about NAFTA, which I completely share, are well known,” Lighthizer said. “I want to be clear that he is not interested in a mere tweaking of a few provisions and a couple of updated chapters. We feel that NAFTA has fundamentally failed many, many Americans and needs major improvement.”

America’s trade representative offered a “few” examples of the changes the U.S. wants to make. There were actually seven: the “huge” deficits between the U.S. and its partners must end; automobiles and other goods made in North America must include a “substantial” increase in U.S. content; labour provisions should be made “as strong as possible”; new rules to prohibit currency manipulation; a revised system of dispute resolution that respects “our national sovereignty and our democratic processes;” a way to keep third parties from sneaking cheap goods into the U.S. through the back doors of Canada and Mexico; and “equal access” for Americans to government procurement and agriculture.

There’s more, Lighthizer promised; he just wanted to give his counterparts and the rest of us an idea of Trump’s ambitions. Since those ambitions change regularly, it is impossible to predict whether Lighthizer’s threats will force Canada and Mexico to go to places they would prefer to avoid, or whether in a few months Trump will take whatever has been agreed at that stage and call it a “Great Win for America!”

Here’s one thing we can say: there is a lot of interest in these talks, especially in Canada and North America. At least three dozen reporters showed up for Day One of the talks, suggesting Trump has bumped travel budgets at the continent’s struggling news organizations. (There were just as many reporters shooting themselves on smartphones as there were actual television cameras, however.) There were even more lobbyists, a sign of the sort of money that is at stake.

All those observers witnessed a wide rhetorical gap between the biggest player in NAFTA and its two satellite economies.

Freeland and Guajardo spoke of an historic agreement that has worked well, while Lighthizer took their numbers and high-minded arguments and crushed them under his foot. Particularly striking was his dismissal of the Trudeau government’s argument that trade between Canada and the U.S. is balanced. “In recent years, we have seen some improvement in our trade balance with Canada,” Lighthizer said. “But over the last 10 years, our deficit in goods has exceeded \$365 billion.”

This is what is facing Canadian and Mexican negotiators: two decades of grievances and scapegoating that won’t be assuaged by recent shifts in the flow of goods and services and photographs of brave firefighters. Trump assembled a team of trade negotiators that is as skeptical about the benefits of NAFTA as he is. And now, after months of anticipation and preparation, they finally have their sledgehammers in hand. The formalities concluded in barely half an hour, at which point Lighthizer directed officials to make their ways to their assigned rooms to begin the first round of negotiations, which was scheduled to conclude on the weekend. More rounds will follow, in all three countries, and there is little reason to think any of it will be much fun.

“Thank you very much,” Lighthizer said at the conclusion of his remarks. “Now we will get down to work.”

Stephen Miller

From: "Bacak, Abigail R. EOP/USTR" <abigail.r.bacak@ustr.eop.gov>
:
To: "Lighthizer, Robert E. EOP/USTR" <(b) (6)@ustr.eop.gov>
Cc: "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>, "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>
Date: Tue, 29 Aug 2017 21:58:10 -0400

Miller is looking to meet with you or do a call before your 10 am meeting - is this something you would be willing to do? His asst indicated that it would be brief.

Sent from my iPhone

Re: Lighthizer's CSIS Remarks

From: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>

To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>

Date: Tue, 19 Sep 2017 14:16:12 -0400

Thanks!

Sent from my iPhone

On Sep 19, 2017, at 1:45 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

Stephen,

Amb. Lighthizer asked me to share his CSIS remarks (delivered yesterday) with you.

They are attached.

Great speech today. One of your best.

PG

G. Payne Griffin

Deputy Chief of Staff

The Office of the United States Trade Representative

Executive Office of the President

Garrison.P.Griffin@USTR.eop.gov

(O) 202-395-5869 |(C) (b) (6)

<9_18_17 CSIS Speech.docx>

Final Remarks at CSIS Event

Monday, September 18, 2017

10:45 AM

I would like to make a few brief points and then I'm happy to answer some questions.

These are interesting times for those of us who care about international trade. For decades support for what we call free trade has been eroding among the electorate. There has been a growing feeling that the system that has developed in recent years is not quite fair to American workers and manufacturing and that we need a change.

In 2016 both major political parties ran candidates who to one degree or another were trade skeptics. On the Democratic side, of course, we had Senator Sanders who campaigned hard on this issue. Their ultimate candidate, Secretary Clinton, did not espouse the trade views of her

[APG]

husband and for that matter of her boss when she was secretary of state. She professed trade skepticism.

On our side the views of President Trump are well known. While some politicians can be accused of changing to populist positions to get votes, this cannot be said of the President. If you go back 10, 20, 30 years, or even longer, you see a remarkable consistency. He has been critical of the prevailing US trade policy, of so-called free trade deals and of their effects on workers. So we will have change.

Let's talk briefly about our philosophy. I know that many sincerely believe that the prevailing world trade policy has been great for America and that those who complain are often people who are victims of economic progress. These analysts think that the whole problem is one of getting the correct message through— really not a policy direction issue but a failure to communicate. They believe that the voters are ill-informed or perhaps ignorant. If they only really understood, they would support trade agreements, the WTO, and all the rest.

[APG]

Most of you know that I am not in that group. I agree with the President. I believe that Americans can compete successfully with anyone in the world if the conditions are fair—not, of course, in all sectors but in most. I believe like many of you, that removing market distortions, encouraging fair competition and letting the market determine economic outcomes leads to greater efficiency and a larger production of wealth both here and abroad.

I'm sure that most also agree that many markets are not free or fair. Governments try to determine outcomes through subsidies, closing markets, regulatory restrictions and multiple similar strategies.

[APG]

The real policy difference is not over whether we want efficient markets, but how do we get them? What is the best thing to do in the face of market distortions to arrive at free and fair competition?

I believe and I think the President believes that we must be proactive, that years of talking about these problems has not worked and that we must use all the instruments we have to make it expensive to engage in non-economic behavior and to convince our trading partners to treat our workers, farmers and ranchers fairly. We must demand reciprocity in trade at home and in international markets. So expect change, expect new approaches, and expect action.

[APG]

Second the President believes and I agree that trade deficits matter. One can argue that too much emphasis can be put on specific bilateral deficits but I think it is reasonable to ask when faced with decades of huge deficits globally and with most countries, whether the rules of trade are causing part of the problem.

Now I agree that tax rates, regulations and other macro-economic factors have a large effect on these numbers -- and the President is tackling these issues -- but I submit the rules of trade also matter and they can determine outcomes.

In a simple example, how can one argue that it makes little difference when we have a 2 1/2 percent tariff on automobiles and other developed countries have a 10 percent tariff? That it is inconsequential when these same countries border adjust many of their taxes and we do not?

[APG]

Or that it is unimportant when some countries continuously undervalue their currency? Is it fair for us to pay higher tariffs to export than they pay to sell here?

Third, I believe that there is one challenge on the current scene now that is substantially more difficult than those faced in past years. That is China. The sheer scale of their coordinated effort to develop their economy, to subsidize, to create national champions, to force technology transfers, and to distort markets in China and throughout the world is a threat to the world trading system that is unprecedented.

I believe that the World Trade Organization is not equipped to deal with this problem. The WTO and its predecessor the General Agreement on Tariffs and Trade were not designed to successfully manage mercantilism on this scale.

[APG]

We must find other ways to defend our companies, workers, farmers and indeed our economic system. We must find new ways to ensure that a market based economy prevails.

Fourth, we are looking at all of our trade agreements to determine if they are working to our benefit. The basic notion in a free trade agreement is that one grants preferential treatment to a trading partner in return for an approximately equal amount of preferential treatment in their market. The object is to increase efficiency and to create wealth.

It is reasonable to ask after a period of time whether what we received and what we paid were roughly equivalent. One measure of that is changes in the trade deficit. Where the numbers and other factors indicate a disequilibrium one should renegotiate.

[APG]

By the way, the notion that NAFTA is unbalanced is hardly novel. In 2008 both Senator Obama and Senator Clinton said in debate that it was unbalanced. That it should be renegotiated and that absent substantial improvement we should pull out.

Perhaps the only real novelty is that this President believes what he says and follows through on his promises.

So we had an election. No one really ran on maintaining the status quo in trade. President Trump won. We have a different philosophy and there will be change.

I look forward to working with many in this room as things develop and to returning here from time to time to assess our progress.

I'm happy to take a few questions. Thank You.

[APG]

FW: Random

From: "Griffin, Payne P. EOP/USTR" (b) (6)
:
To: "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>
Date: Tue, 26 Sep 2017 15:56:16 -0400

Do you have a suggestion? or know what ARL would suggest?

-----Original Message-----

From: Rader, John N. EOP/NSC
Sent: Tuesday, September 26, 2017 3:54 PM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Subject: Random

Payne:

Stephen Miller just asked me to reach out to you to see if Ambassador Lighthizer could recommend a book (b) (5)

If the Ambassador has one in mind, please let me know what I can recommend.

Thanks for this, and for your time yesterday.

Best -

John

RE: Random

From: "Rader, John N. EOP/NSC" (b) (6) nsc.eop.gov>
To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>
Date: Fri, 29 Sep 2017 11:42:52 -0400

Hey Payne:

Just wanted to circle back on this. I am seeing Stephen this afternoon, and I know he is going to ask me about it. Any luck?

Thanks -

John

-----Original Message-----

From: Rader, John N. EOP/NSC
Sent: Tuesday, September 26, 2017 3:54 PM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Subject: Random

Payne:

Stephen Miller just asked me to reach out to you to see if Ambassador Lighthizer could recommend a book (b) (5)

If the Ambassador has one in mind, please let me know what I can recommend.

Thanks for this, and for your time yesterday.

Best -

John

RE: China Dialogue Timeline

From: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>

To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>

Date: Wed, 15 Nov 2017 10:32:18 -0500

(b) (5)

From: Griffin, Payne P. EOP/USTR [mailto:Garrison.P.Griffin@ustr.eop.gov]

Sent: Wednesday, November 15, 2017 9:42 AM

To: Miller, Stephen EOP/WHO <(b) (6) who.eop.gov>

Subject: China Dialogue Timeline

Hey Stephen, Welcome back.

Amb Lightizer asked me to prepare a timeline of U.S. dialogue engagement with China. We will be sending this to you shortly. hopefully next 15 min.

G. Payne Griffin

Deputy Chief of Staff

The Office of the United States Trade Representative

Executive Office of the President

Garrison.P.Griffin@USTR.eop.gov

(O) 202-395-5869 | (C) (b) (6)

Trade Timeline for China

From: "Griffin, Payne P. EOP/USTR" (b) (6)
[REDACTED]
[REDACTED]

To: "Jamieson L. EOP/USTR Greer (Jamieson.L.Greer@ustr.eop.gov)"
<jamieson.l.greer@ustr.eop.gov>, "Vaughn, Stephen P. EOP/USTR"
<stephen.p.vaughn@ustr.eop.gov>

Date: Tue, 14 Nov 2017 22:49:41 -0500

Attachments
:
Trade Timeline China.docx (12.36 kB)

All,

(b) (5)



Thanks

G. Payne Griffin

Deputy Chief of Staff

The Office of the United States Trade Representative

Executive Office of the President

Garrison.P.Griffin@USTR.eop.gov

(O) 202-395-5869 | (C) (b) (6)

China Trade Timeline

From: "Griffin, Payne P. EOP/USTR" (b) (6)
[Redacted]
[Redacted]

To: "Stephen EOP/WHO Miller (b) (6) who.eop.gov)"
<(b) (6) who.eop.gov>

Date: Wed, 15 Nov 2017 11:06:07 -0500

Attachments
:
Trade Timeline China2.docx (13.88 kB)

(b) (5)



(b) (5)



G. Payne Griffin

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Executive Office of the President

Garrison.P.Griffin@USTR.eop.gov

(O) 202-395-5869 | (C) (b) (6)

Re: Blurb for POTUS SPeech

From: garrison.p.griffin@ustr.eop.gov
To: "Morrell, David M. EOP/WHO" (b) (6) who.eop.gov>
Date: Wed, 15 Nov 2017 11:32:59 -0500

Awesome thanks

Sent from my iPhone

(b) (6)

On Nov 15, 2017, at 11:32 AM, Morrell, David M. EOP/WHO <(b) (6) @who.eop.gov> wrote:

(b) (5)

From: Griffin, Payne P. EOP/USTR [<mailto:Garrison.P.Griffin@ustr.eop.gov>]
Sent: Wednesday, November 15, 2017 11:13 AM
To: Morrell, David M. EOP/WHO <(b) (6) who.eop.gov>
Subject: Blurb for POTUS SPeech

David,

Stephen miller asked us to provide a line for the POTUS speech (b) (5)

(b) (5)

G. Payne Griffin
Deputy Chief of Staff
The Office of the United States Trade Representative
Executive Office of the President
Garrison.P.Griffin@USTR.eop.gov
(O) 202-395-5869 |(C)(b) (6)

USTR nominations

From: garrison.p.griffin@ustr.eop.gov

To: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>

Date: Wed, 15 Nov 2017 11:32:55 -0500

Cleared by (b) (5)

(b) (5)



Sent from my iPhone

(b) (6)

McLaurine Klingler (Stephen Miller 'a assistant)

From: christopher.l.jackson@ustr.eop.gov

To: bradley.f.hayes@cbp.dhs.gov

Date: Wed, 15 Nov 2017 16:12:04 -0500

(b) (6) @who.eop.gov

She is great.

Sent from my iPhone

Fwd: Reciprocal Tariffs.

From: garrison.p.griffin@ustr.eop.gov
To: "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>
Date: Fri, 12 Jan 2018 15:41:28 -0500

Sent from my iPhone

(b) (6)

Begin forwarded message:

From: "Miller, Stephen EOP/WHO" <(b) (6)@who.eop.gov>
Date: January 12, 2018 at 3:38:18 PM EST
To: "Griffin, Payne P. EOP/USTR" <Garrison.P.Griffin@ustr.eop.gov>
Cc: "Worthington, Ross P. EOP/WHO" <(b) (6)@who.eop.gov>, "Haley, Vincent M. EOP/WHO" <(b) (6)@who.eop.gov>
Subject: Re: Reciprocal Tariffs.

Short and simple

Sent from my iPhone

On Jan 12, 2018, at 3:36 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

Ok I'll come over with Vaughn and get to work with your guys.

Sent from my iPhone

(b) (6)

(b) (6) 3:35 PM, Miller, Stephen EOP/WHO <(b) (6)@who.eop.gov> wrote:

Yes but need clear language for this to work.

Sent from my iPhone

On Jan 12, 2018, at 2:46 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

Hey Stephen,

(b) (5)

[Redacted]

[Redacted]

Thanks
Payne

Re: Tariff Examples

From: "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>
To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>
Cc: "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>
Date: Mon, 05 Mar 2018 09:08:09 -0500

I have already provided this information to Stephen Miller directly.

On Mar 5, 2018, at 8:03 AM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

Stephen Miller has asked (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

Thx

G. Payne Griffin
Deputy Chief of Staff
The Office of the United States Trade Representative
Executive Office of the President
Garrison.P.Griffin@ustr.eop.gov
(O) 202-395-5869 | (C)(b) (6)

RE: Friday ask

From: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>
To: "Jackson, Christopher L. EOP/USTR" <christopher.l.jackson@ustr.eop.gov>
Date: Mon, 26 Mar 2018 13:49:32 -0400

Great

From: Jackson, Christopher L. EOP/USTR
Sent: Monday, March 26, 2018 11:25 AM
To: Miller, Stephen EOP/WHO <(b) (6) who.eop.gov>
Subject: Friday ask

I might have a name/names for your DHS position. Just checking one more area first.

CJ

Re: DHS

From: christopher.l.jackson@ustr.eop.gov
To: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>
Date: Sat, 31 Mar 2018 13:18:31 -0400

Will do.

Sent from my iPhone

> On Mar 31, 2018, at 1:17 PM, Miller, Stephen EOP/WHO <(b) (6) who.eop.gov> wrote:
>
> Terrific. Please send me his resume if you can.
>
> Sent from my iPhone
>
>> On Mar 31, 2018, at 1:15 PM, Jackson, Christopher L. EOP/USTR <Christopher.L.Jackson@ustr.eop.gov> wrote:
>>
>> Hey Stephen
>>
>> I have a terrific candidate for the DHS job. (b) (5), (b) (6)
[REDACTED]
[REDACTED]
>>
[REDACTED]
>>
>> If you want to talk further let me know
>>
>>
>> Chris
>>
>> Sent from my iPhone

RE: (b) (6) resume

From: "Miller, Stephen EOP/WHO" <(b) (6) who.eop.gov>

To: "Jackson, Christopher L. EOP/USTR" <christopher.l.jackson@ustr.eop.gov>

Date: Thu, 12 Apr 2018 20:29:42 -0400

Thank you!

From: Jackson, Christopher L. EOP/USTR

Sent: Thursday, April 12, 2018 8:25 PM

To: Miller, Stephen EOP/WHO <(b) (6) who.eop.gov>

Subject: (b) (6) resume

Hey Stephen

Below is the candidate I mentioned for DHS. He's an excellent candidate and I hope one you'll strongly consider.

Sent from my iPhone

Begin forwarded message:

From: Christopher Jackson (b) (6) gmail.com>

Date: April 12, 2018 at 8:21:15 PM EDT

To: "Jackson, Christopher L. EOP/USTR" <Christopher.L.Jackson@ustr.eop.gov>

Subject: [EXTERNAL] Fwd: (b) (6) resume

Sent from my iPhone

Begin forwarded message:

From: (b) (6) gmail.com>

Date: April 1, 2018 at 9:30:30 PM EDT

To: (b) (6) gmail.com" (b) (6) gmail.com>

Subject: (b) (6) resume

Chris—hope that your weekend was enjoyable. Please find attached resumes. I included a one-pager and a more detailed version.

(b) (6)

(b) (6)

Re: Rubio

From : "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>
To: "Bacak, Abigail R. EOP/USTR" <abigail.r.bacak@ustr.eop.gov>
Cc: "Jackson, Christopher L. EOP/USTR" <christopher.l.jackson@ustr.eop.gov>, "Visconti, Bridget F. EOP/USTR" <bridget.f.visconti@ustr.eop.gov>
Date: Wed, 25 Apr 2018 18:43:15 -0400

He would like to do this at 12:15 and will push his lunch to 12:30.

Sent from my iPhone

> On Apr 25, 2018, at 6:10 PM, Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov> wrote:
>
> His office reached out about doing a call tomorrow at 12:30 with ARL and Stephen Miller.
>
> Sent from my iPhone

RE: Call with Stephen Miller and Sen. Rubio -- China Trade

From: "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>
:
"Lai, Joseph G. EOP/WHO" (b) (6) who.eop.gov>, "Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>, "Jackson, Christopher L. EOP/USTR" <christopher.l.jackson@ustr.eop.gov>, "Bishop, Cameron M. EOP/USTR" <cameron.m.bishop@ustr.eop.gov>
To:
"Willems, Clete R. EOP/NSC" (b) (6) nsc.eop.gov>, "Swonger, Amy H. EOP/WHO" (b) (6) who.eop.gov>, "Greenwood, Daniel Q. EOP/WHO" (b) (6) who.eop.gov>
Cc:
Date: Thu, 26 Apr 2018 13:02:14 -0400

Thank you. We showed this to ARL.

From: Lai, Joseph G. EOP/WHO
Sent: Thursday, April 26, 2018 12:47 PM
To: Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Vaughn, Stephen P. EOP/USTR <Stephen.P.Vaughn@ustr.eop.gov>; Jackson, Christopher L. EOP/USTR <Christopher.L.Jackson@ustr.eop.gov>; Bishop, Cameron M. EOP/USTR <Cameron.M.Bishop@ustr.eop.gov>
Cc: Willems, Clete R. EOP/NSC (b) (6) nsc.eop.gov>; Swonger, Amy H. EOP/WHO (b) (6) who.eop.gov>; Greenwood, Daniel Q. EOP/WHO (b) (6) who.eop.gov>
Subject: Call with Stephen Miller and Sen. Rubio -- China Trade

Jamieson/Stephen,

Wanted to bring your attention to a pending request from Stephen Miller that he, AMB Lighthizer, and Senator Rubio do a conference call to discuss (b) (5)

(b) (5)

(b) (5)

(b) (5)

Wanted to flag all of this for you so that yall can appropriately prep the Ambassador.

Thanks.

Joe

Joseph Lai
Special Assistant to the President
Legislative Affairs
The White House

(b) (6) [REDACTED]
[REDACTED] who.eop.gov

(b) (5)

